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*JEW*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hu, Fang, et al.,

Serial No.: 10/766,307

Filed: January 28, 2004

Group: NA

For: THERAPY FOR PRIMARY AND METASTATIC CANCER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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Applicant certifies under 37 C.F.R. § 1.97(d)(2)(1) that the references contained in the information disclosure statement filed herewith were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

Respectfully submitted,  
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October 26, 2004

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OCT 29 2004

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PTO/SB/08A (10-01)

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2 Sheets

<p>DEMSR Institute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>		<b>Complete If Known</b>	
		Application Number	10/766,307
		Filing Date	January 28, 2004
		First Named Inventor	Hu, et al.,
		Group Art Unit	
Examiner Name			
Sheet	1	of	2 Sheets
		Attorney Docket Number	SSBC-0001 (121300.00002)

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	1.	WO 02/053711	07-11-2002	Holm	Entire Document	

Examiner Signature		Date Considered	
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<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet

2

of

2 Sheets

### Complete if Known

Application Number	10/766,307
Filing Date	01/28/04
First Named Inventor	Hu, et al
Group Art Unit	
Examiner Name	

Attorney Docket Number SSBC-00001 (121300.0003)

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	2.	HAVIV YS, Blackwell JL, Li H, Wang M, Lei X, Curiel DT. Heat shock and heat shock protein 70i enhance the oncolytic effect of replicative adenovirus. Cancer Res. 2001 Dec 1;61(23):8361-5.	
	3.	RIES S, Korn WM. ONYX-015: mechanisms of action and clinical potential of a replication-selective adenovirus. Br J Cancer. 2002 Jan 7;86(1):5-11.	
	4.	KRUYT FA, Curiel DT. Toward a new generation of conditionally replicating adenoviruses: pairing tumor selectivity with maximal oncolysis. Hum Gene Ther. 2002 Mar 1;13(4):485-95.	
	5.	FALK MH, Issels RD. Hyperthermia in oncology. Int J Hyperthermia. 2001 Jan-Feb;17(1):1-18.	
	6.	International Search Report, International Application No. PCT/US 04/002330 September 8, 2004	

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